

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, APRIL 29, 2004
8:15 A.M.**

Commissioners Present: Ray Stevens, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Bob Workman
Deb Schorr

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Kristy Mundt, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Chief Deputy County Clerk
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:16 a.m.

AGENDA ITEM

1 APPROVAL OF THE STAFF MEETING MINUTES OF THURSDAY, APRIL 22, 2004

MOTION: Workman moved and Hudkins seconded approval of the Staff Meeting minutes of April 22, 2004. Hudkins, Stevens and Workman voted aye. Heier and Schorr were absent from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Meeting with Mike Merwick, Building & Safety Director, and Dietz Plumbing of Waverly, Nebraska
- B. Microcomputer Requests:
 - 1) C#2004-174, \$490.50 from Adult Probation for One (1) Flat Panel Monitor (Exhibit A)
 - 2) C#2004-175, \$300.04 from Human Services for Computer Software and Installation (Exhibit B)
- C. Update on Ceiling for Parking Area Under the Jail
- D. School/Community Tobacco Grant

MOTION: Workman moved and Hudkins seconded approval of the additions to the agenda. Workman, Hudkins, Schorr, Heier and Stevens voted aye. Motion carried.

3 COMMISSIONER MEETING REPORTS

A. Families First & Foremost's (F³'s) Conveners Retreat - Schorr

Schorr said discussion focused on what F³ will look like in the final year of the federal grant and said there was a suggestion to write a large Substance Abuse and Mental Health Services Administration (SAMHSA) grant to serve a different population.

Heier requested an assessment from F³ of which programs are most effective.

B. Visitors Promotion Advisory Committee (VPAC) - Schorr

Kerry Eagan, Chief Administrative Officer, said Wendy Birdsall has been appointed Lincoln Convention & Visitors Bureau (CVB) Interim Director. Her salary will be split between the CVB and the Lincoln Chamber of Commerce.

Schorr said a preliminary budget was presented.

Hudkins asked Schorr and Eagan to seek information on how the room rate tax is reported and audited.

C. Lincoln Independent Business Association (LIBA) Monthly Meeting - Hudkins, Schorr

Schorr said discussion focused on the upcoming election, roads and acreage studies.

Hudkins said Marvin Krout, Planning Director, was the speaker at the Governmental Affairs Committee Meeting. He noted Krout's recent presentation on the Cost of Rural Services Study during a radio program and said Krout agreed to notify the Board in the future of public appearances on county issues. Hudkins asked that this be reflected in the minutes.

MOTION: Heier moved and Schorr seconded to correct the April 22, 2004 Staff Meeting minutes to indicate that Marvin Krout, Planning Director, will notify the Board in the future of public appearances that reflect on county issues. Workman, Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

D. Downtown Lincoln Association (DLA) Board - Stevens

Stevens said the need for additional parking in the downtown area was discussed.

E. Community Mental Health Center (CMHC) Advisory Committee - Stevens

Stevens reported on election of officers.

4 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant; Amy Prenda, Director of Legal Research and Analysis for Kissel/E&S Associates

Gordon Kissel, Legislative Consultant, presented a summary of legislative bills and interim study resolutions (Exhibit C & D).

Kissel noted that his contract is up and said he would like to continue as Lancaster County's Legislative Consultant.

5 ANNUAL LIBRARY REPORT- Carol Connor, Library Director; John Dale, Assistant Library Director; Darrell Podany, Library Board President

Darrell Podany, Library Board President, said the Lincoln City Libraries contracted with Dubberly Garcia Associates, a library consulting and research firm, to conduct a customer survey and nonuser survey in the fall of 2003.

Carol Connor, Library Director, presented an executive summary of the survey (Exhibit E).

6 A) COMMUNITY CORRECTIONS DATABASE; AND B) COMPUTER AND TELEPHONE WIRING - Kim Etherton, Community Corrections Director

A) Community Corrections Database

Kim Etherton, Community Corrections Director, requested authorization to have Information Services (IS) develop a database system for Community Corrections using Microsoft Access (estimated cost is \$17,000).

MOTION: Hudkins moved and Workman seconded approval of the request out of the agency budget. Hudkins, Heier, Stevens, Schorr and Workman voted aye. Motion carried.

B) Computer and Telephone Wiring

Etherton requested authorization to install a land line in the Clerk of the County Court's Office for the case manager (estimated cost is \$2,000).

The Board authorized Etherton to proceed with the wiring, in consultation with Don Killeen, County Property Manager. Funding will be through the Keno Fund.

7 BOARD OF EQUALIZATION REFEREE CONTRACT WITH GREAT PLAINS APPRAISAL - Trish Owen, Chief Deputy County Clerk

Trish Owen, Chief Deputy County Clerk, requested authorization to ask Great Plains Appraisal to serve again as referee coordinator for the property valuation protests.

MOTION: Schorr moved and Workman seconded to direct the County Clerk to pursue a contract with Great Plains Appraisal. Hudkins, Heier, Stevens, Schorr and Workman voted aye. Motion carried.

8 REPORT AND RECOMMENDATIONS ON YOUTH ASSESSMENT CENTER - Michelle Schindler, Youth Assessment Center (YAC) Interim Director

Michelle Schindler, Youth Assessment Center (YAC) Interim Director, presented Youth Assessment Center Recommendation of Services for FY 05-06 (Exhibit F).

Schorr asked Schindler her opinion on whether YAC should remain a stand-alone agency or be merged with the Youth Services Center.

Schindler said it makes sense to merge YAC with the Youth Services Center, particularly in terms of sharing staff.

Eagan said the Management Information System (Right Track) is essential to the interface with Families First & Foremost (F³) and the community component. He said staff may also be able to assist the Juvenile Drug Court.

MOTION: Workman moved and Schorr seconded to direct Michelle Schindler, Youth Assessment Center (YAC) Interim Director, and Dennis Banks, Lancaster County Juvenile Detention Center Director, to develop an alternative to the submitted budgets, incorporating the Youth Assessment Center's (YAC's) functions within the Youth Services Center, for the Board's consideration.

Schorr said it would be beneficial to have an update from Sheryl Schrepf, Families First & Foremost (F³) Director, including plans for the final year of the federal grant.

Schindler said the City agreed to provide funding to YAC in the amount of \$50,000 and asked how to access those funds.

The Chair and Vice Chair agreed to discuss the funding issue with the Mayor.

ROLL CALL: Hudkins, Heier, Stevens, Schorr and Workman voted aye. Motion carried.

9 A) VETERANS SERVICE COMMITTEE APPOINTMENT; AND B) GENERAL ASSISTANCE (GA) - Gary Chalupa, Veterans Service Officer

A) Veterans Service Committee Appointment

Gary Chalupa, Veterans Service Officer, said three individuals submitted applications for an opening on the Veterans Service Committee: 1) Billy D. Williams; Rose A. Rosenstock; and Ron Melbye (Exhibit G). He said the Veterans Service Committee has reviewed the applications and recommends reappointment of Billy D. Williams.

Schorr said Rosenstock would bring a new perspective to the committee and would represent a post that hasn't had active representation.

MOTION: Schorr moved and Hudkins seconded to respectively decline the recommendation of the Veterans Service Committee and direct Gary Chalupa, Veterans Service Officer, to go forward with the name Rose A. Rosenstock and secure a public official bond. Workman, Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

The Board encouraged the other two applicants to reapply when there is another opening on the Veterans Service Committee.

B) General Assistance (GA)

Chalupa said it appears that construction and remodeling costs will be under budget and furnishing costs will be over budget.

Eagan said the Nebraska Appleseed Center for Law in the Public Interest has expressed concern regarding the pre-screening processes and he sent them a letter indicating that the County is reviewing its procedures and inviting them to provide input.

Chalupa said the Nebraska Department of Veterans' Affairs will no longer consider a general discharge under honorable conditions as equivalent to an honorable discharge. He said the change is based on a recent Attorney General's opinion and the need to address a shortfall in the Nebraska Veteran Aid Fund. Chalupa said he requested a County Attorney's opinion on the matter and was advised that the Attorney General's opinion left little room for discussion and that the change should take effect immediately.

10 EXECUTIVE SESSION (SALE OF REAL PROPERTY) - Don Killeen, County Property Manager

MOTION: Workman moved and Schorr seconded to enter Executive Session at 11:05 a.m. to discuss the sale of real property. Workman, Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

Schorr exited the meeting.

MOTION: Hudkins moved and Workman seconded to exit Executive Session at 11:35 a.m. Hudkins, Heier, Stevens and Workman voted aye. Schorr was absent from voting. Motion carried.

Schorr returned to the meeting at 11:37 a.m.

ADDITIONS TO THE AGENDA

C. Update on Ceiling for Parking Area Under the Jail

Don Killeen, County Property Manager, appeared and said Sampson Construction Company has agreed to correct the problem and provide additional anchors.

11 BOND ISSUE UPDATE - Dave Kroeker, Budget and Fiscal Officer; Scott Keene, Ameritas Investment Corporation; Lauren Wismer and David Lucas, Gilmore & Bell PC

Scott Keene, Ameritas Investment Corporation, presented an analysis of refunding capabilities for all the County's outstanding debt (Exhibit H) :

- 2200 St. Mary's, General Obligation Refunding Bonds, Series 2003, Refunding of Outstanding Series 1994 Bonds on 6-1-04, Rates as of 4-26-04, Debt Service Comparison
- Engineering Building, General Obligation Refunding Bonds, Series 2003, Refunding of Outstanding Series 1995 Bonds on 6-1-04, Rates as of 4-26-04, Debt Service Comparison

- Motor Vehicle Facility, General Obligation Refunding Bonds, Series 2003, Refunding of Outstanding Series 1995B Bonds on 6-1-04, Rates as of 4-26-04, Debt Service Comparison
- Juvenile Detention Facility, Refunding Bonds Series 2004, Refunding of Series 1999 Bonds on 6-1-04, Interest Rates as of 4-26-04, Debt Service Comparison
- Lancaster Manor, Refunding of Series 1998 Bonds, Refunding as of 6-1-04, Interest Rates as of 4-26-04, Debt Service Comparison
- Lancaster County Fairgrounds Joint Public Agency, Limited Tax Facility Refunding Bonds, Series 2004, Refunding of Series 2000 Bonds on 6-15-04, Interest Rates as of 4-26-04, Debt Service Comparison
- Lincoln-Lancaster County Public Building Commission, Tax Supported Lease Rental Revenue Building and Refunding Bonds, Series 2004, Refunding of Series 1996 Bonds, Interest Rates as of 4-26-04, Debt Service Comparison
- Lincoln-Lancaster County Public Building Commission, Tax Supported Lease Rental Revenue Building and Refunding Bonds, Series 2004, Refunding of Series 1998 Bonds, Interest Rates as of 4-26-04, Debt Service Comparison
- Lincoln-Lancaster County Public Building Commission, Tax Supported Lease Rental Revenue Building and Refunding Bonds, Series 2004, Refunding of Series 2002 Bonds, Interest Rates as of 4-26-04, Debt Service Comparison

Keene said none of the issues are good candidates for refunding at this point, but may become better candidates closer to their call dates. He noted that Lancaster Manor is the only outstanding issue that has had two advance refundings and said the County is not allowed additional refundings on that issue.

Lauren Wismer, Gilmore & Bell PC, explained that two advanced refundings were allowed because the original bonds were issued before the 1986 Tax Act. He said bonds issued subsequent to the 1986 Tax Act are only allowed one advance refunding. Wismer said advance refunding is defined to be a refunding in which the new bonds are issued more than 90 days before the date the old bonds are paid off.

Keene also presented an analysis of financing five projects the County is currently considering: 1) Systems upgrade for the County Assessor's Office; 2) Purchase of the Community Blood Bank Building (2966 "O" Street); 3) Vehicle storage facility; 4) Security system upgrade for Corrections; and 5) Remodel of the Attention Center for Youth Building (2220 South 10th Street) (Exhibit I):

- Lancaster County Nebraska, General Obligation Bonds, Series 2004, Preliminary Rated Interest Rates as of 4-26-04, Sources & Uses
- Lancaster County Nebraska, General Obligation Bonds, Series 2004, Preliminary Rated Interest Rates as of 4-26-04, Debt Service Schedule
- Lancaster County Nebraska, General Obligation Bonds, Series 2004, 5-Year Financing of Property Tax System Upgrade, Debt Service Schedule

- Lancaster County Nebraska, General Obligation Bonds, Series 2004, 10-Year Financing of Blood Bank Bldg Purchase/Remodel, Vehicle Storage, Security System for Corrections and Remodel of Juvenile Detention Bldg, Debt Service Schedule

Keene said financing of the five projects is projected at just under \$4.5 million (five year amortization of the systems upgrade for the County Assessor's Office and ten year amortization of the other four projects) and requires a bond issue of just under \$4.6 million. He said the analysis assumes that the bonds would be rated. Keene said Wismer is researching whether the Hospital Authority intends to issue any debt this year and said if it does not, the County may have the ability to declare the bonds bank qualified.

Hudkins asked whether amortization period for the County Assessor's systems upgrade could be increased.

Dave Kroeker, Budget and Fiscal Officer, said he believes a shorter term is preferable.

Keene noted that there will be a savings in terms of interest rates.

Hudkins inquired about the cost of ratings.

Keene estimated that the rating will cost approximately \$5,000 and recommended that the County have Moody's rate the bonds. He said a ten to fifteen basis point spread in interest rates between a rated issue and non-rated issue is likely, based on the current interest rate environment and the current demand for bank qualified bonds. Keene said the relationship isn't static and ongoing analysis is needed.

Eagan said the Board recently approved the issuance by Hospital Authority No. 1 of Lancaster County of its \$4,255,000 Revenue Refunding Bonds Series, 2004 (Eastmont Towers Project) for the purpose of refunding the Authority's outstanding Series 1999 Revenue Bonds (Eastmont Towers Project) which were issued in the original principal amount of \$5,000,000.

Wismer said that will count because it is an advanced refunding.

Keefe suggested that the Board consider authorizing the issuance of bonds as part of a parameters resolution (Board would give final rate setting authority to a member of the Board in order to provide more flexibility to market the bonds).

The Board authorized Keefe and Wismer to proceed with drafting the appropriate documents.

12 ACTION ITEMS

- A. Families First & Foremost's (F³'s) Catering Contract with The Villager for Mental Health Conference

MOTION: Workman moved and Schorr seconded approval. Workman, Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

- B. Letter of Support for Waverly Care Center Expansion

Workman said the Waverly Care Center is seeking a Certificate of Need for an expansion of thirty beds to address a specialized need and has asked the Board for a letter of support (Exhibit J). **NOTE:** There is currently a state moratorium on expansion of nursing home beds.

Eagan said Larry Van Hunnik, Lancaster Manor Administrator, has indicated a preference that the County Board not take a position on this matter.

MOTION: Schorr moved and Workman seconded to approve the letter of support.

Stevens expressed concern that the facility is in direct competition for tax dollars committed to Lancaster Manor.

ROLL CALL: Workman, Schorr, Hudkins and Heier voted aye. Stevens abstained from voting. Motion carried.

- C. Microcomputer Request C#2004-169, \$591.61 from County Engineer's Budget for Paper Tray for Xerox Printer (Phaser 7300)

MOTION: Workman moved and Schorr seconded approval of Items 2B and 12C, out of the corresponding agency budgets.

AMENDMENT: Hudkins moved and Workman seconded to amend the motion to hold the request from Adult Probation for a flat panel monitor until the budget hearings. Hudkins, Heier, Stevens, Schorr and Workman voted aye. Motion carried.

ROLL CALL ON THE ORIGINAL MOTION: Hudkins, Heier, Schorr, Stevens and Workman voted aye. Motion carried.

D. Hiring Request from County Engineer (Labor Supervisor)

MOTION: Workman moved and Hudkins seconded approval. Hudkins, Heier, Stevens, Schorr and Workman voted aye. Motion carried.

13 ADMINISTRATIVE OFFICER REPORT

A. Designation of Salt Cedar as a Noxious Weed

Item held.

B. Adult and Juvenile Drug Court Programs

Eagan noted recommendations to place Adult Drug Court under Community Corrections and Juvenile Drug Court under Juvenile Probation and reported on an issue involving LB 640 funds designated for Juvenile Drug Court.

C. City-County Common Meeting Records

Eagan said the County Board's administrative secretary has questioned whether the County Clerk's Office should be responsible for maintaining the agendas and minutes of City-County Common Meetings and entering them into the TRIM Electronic Recordkeeping System.

The Board requested a County Attorney's opinion on the issue.

D. Architect for Lincoln-Lancaster County Health Department Building

Schorr said The Clark Enersen Partners was selected as architect for the project.

E. Comprehensive Plan Amendment Schedule

The Board reviewed the schedule (see agenda packet).

F. Families First & Foremost (F³) Logo

Item held.

ADDITIONS TO THE AGENDA

A. Meeting with Mike Merwick, Building & Safety Director, and Dietz Plumbing of Waverly, Nebraska

Workman noted plans to meet with Mike Merwick, Building & Safety Director, and Dietz Plumbing of Waverly, Nebraska to discuss the County's recent adoption of Lincoln's Heating, Ventilating, and Cooling Code (see County Resolution No. 04-0015) and the 2000 edition of the Lincoln Plumbing Code (see County Resolution No. 04-0016) and concerns that proceeding with licensure will drive non-licensed contractors out of business.

General discussion followed with the following suggestions: 1) Modified tests; 2) Proof of work; 3) A "grandfather" clause; and 4) A special license to work within the county.

Stevens said he would like to solicit an opinion from Building and Safety and/or the industry on the quality of work that is being performed by non-licensed contractors.

D. School/Community Tobacco Grant

The Board scheduled the item on the May 4, 2004 Board of Commissioners Meeting agenda.

14 ADJOURNMENT

MOTION: Heier moved and Workman seconded to adjourn the meeting at 12:37 p.m. Heier, Hudkins, Stevens, Schorr and Workman voted aye. Motion carried.

Bruce Medcalf
Lancaster County Clerk